

GOVERNMENT OF KARNATAKA

NO. RD 399 LRM 76

Karnataka Government Secretariat,
Vidhana Soudha,
Bangalore, dated 12th July 1976.

CIRCULAR

Sub: Legal aid to tenants under Land Reforms Act.

-:-

Under section 127 of the Karnataka Land Reforms Act, 1961 as amended, there is provision to give legal assistance to tenants whose pecuniary circumstances are such that legal assistance is, in the opinion of State Government, required by such tenants. The question of prescribing rules for this purpose and for providing such aid is separately under the consideration of Government.

Meanwhile, however, there are many cases in which tenants as well as landlords have filed writ petitions in the High Court challenging orders passed by the Tribunals. Government have considered what assistance should be provided to tenants in such proceedings.

In all writ petition cases before the High Court the Tribunal is invariably a party to the proceedings. Notices are sent by the High Court to the Secretary or Chairman of the Tribunal. It is understood that at present these notices are being filed away under the impression that the Tribunal is only a proforma Respondent. This practice should be stopped.

With immediate effect, all Tehsildars / Special Tehsildars, and Assistant Commissioners / Special Assistant Commissioners will send any notice received from the High Court in respect of an order passed by the Tribunal, immediately to the Government in Revenue Department. Along with the notice the relevant records of the concerned case should also be sent together with a brief on any special points that may be required to be taken into account in the particular proceedings.

On receipt of the above the Government will take appropriate action, on the merits of each case, to participate in the Writ proceedings.

M. Jayaram

Asst. Spl. Officer for L.R. & Ex-officio
Under Secy. to Govt. Revenue Department I/c.

- To: 1) All the Divisional Commissioners.
2) All the Deputy Commissioners / Special Deputy Commissioners.
3) All the Assistant Commissioners / Special Assistant Commissioners.
4) All the Tehsildars / Special Tehsildars.